

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated September 23, 2005, has been received and its contents carefully reviewed.

Claims 8-10, 48-51, 107 and 118 are withdrawn in this application. Claims 1-7, 15-19, 31, 39-43 and 108-116 are rejected to by the Examiner. Claims 29 and 114 have been amended. Claims 52-83 and 86-106 are allowed. Claims 1-118 remain pending in this application.

In the Office Action, claims 1-7, 31, and 43 are provisionally rejected as obviousness-type double patenting over claims 1-118 of copending application no. 10/661,472 in view of JP2001-356353 to Satoshi. Claims 15-19 are provisionally rejected as being obviousness-type double patenting of claims 1-118 of Application No. 10/661,472 in view of Satoshi and U.S. Patent 5,766,407 to Miwa. Claims 39-42 and 108-114 are provisionally rejected as being obviousness-type double patenting of claims 1-118 of Application No. 10/661,472 in view of U.S. Patent 5,979,739 to Jin. Claims 29 and 30 are rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claims 1-7, 31, and 43 are rejected under 35 U.S.C. §102(b) as being anticipated by Satoshi. Claims 15-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Satoshi in view of Miwa. Claims 39-42 and 108-114 are rejected under 35 U.S.C. §103(a) as being unpatentable over Satoshi in view of Jin.

Applicants thank the Examiner for allowing claims 52-83, and 86-106 and for indicating that claims 11-14, 20-30, 32-38, 44-47 and 115-117 include allowable subject matter.

Applicants file herewith a terminal disclaimer with respect to copending application 10/661,472 to overcome the double patenting rejection. In addition, Applicants amend claim 29 to correct its dependency. This amendment overcomes the §112, second paragraph, rejection, and Applicants hereby respectfully request the withdrawal of that rejection.

Rejecting claim 1, the Examiner asserts that Satoshi et al. discloses “first alignment means for leveling the upper stage with respect to the lower stage (load cell 33, and shafts 59, and associated actuators - see Figures 1 and 2), and second alignment for horizontally aligning the upper stage with respect to the lower stage (image recognition camera - see paragraph 0037).” Applicants respectfully disagree.

Satoshi et al. discloses at paragraph [0023]:

... a shaft 29 descends by the motor 40, the electrostatic fixing disc 28 holding top substrate 1b descends, top substrate 1b sticks with bottom substrate 1 on table 9 a, and it has the structure where welding pressure can be given. In this case, a load cell 33 works as a welding-pressure sensor, it is controlling a motor 40 based on the fed-back signal serially, and it is possible to give desired welding pressure to the vertical substrates 1a and 1b.

Moreover, Satoshi et al. discloses at paragraph [0025]:

... when the electrostatic fixing disc 28 is carrying out attraction adsorption, a vacuum chamber is decompressed, attraction adsorption power disappears and top substrate 1b falls, and it is supported by the form hung with the shaft 59 which is in the location of two vertical angles of top substrate 1b, and was extended caudad.

As clearly shown by the actual disclosure cited above, and in view of Figures 1 and 2 of Satoshi et al., Applicants respectfully submit Satoshi et al. fails to teach, expressly or even inherently, “first alignment means for leveling the upper stage with respect to the lower stage,” as asserted by the Examiner.

Claims 15-19 depend from claim 1 and, therefore, include all of the elements recited in claim 1. As established above, Satoshi et al. does not anticipate claim 1. Moreover, Miwa et al. fails to cure the deficiency of Satoshi et al. with respect to claim 1. Because none of the cited references, including Satoshi et al. and Miwa et al., singly or in combination, teach or suggest each and every element recited in claim 1, Applicants respectfully submit the Examiner has failed to establish that claims 15-19 are *prima facie* obvious under 35 U.S.C. § 103(a). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 15-19 under 35 U.S.C. § 103(a).

In the Office Action, the Examiner rejected claims 39-42 and 108-114 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Satoshi et al. in view of Jin et al. (U.S. Patent No. 5,766,407). This rejection is respectfully traversed and reconsideration is requested. Claims 39-42 depend from claim 1 and, therefore, include all of the elements recited in claim 1. As established above, Satoshi et al. does not anticipate claim 1. Moreover, Jin et al. fails to cure the

deficiency of Satoshi et al. with respect to claim 1. Because none of the cited references, including Satoshi et al. and Jin et al., singly or in combination, teach or suggest each and every element recited in claim 1, Applicants respectfully submit the Examiner has failed to establish that claims 39-42 are *prima facie* obvious under 35 U.S.C. § 103(a). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 39-42 under 35 U.S.C. § 103(a). The basis of the present rejection of claims 108-114 under 35 U.S.C. § 103(a) is identical to the basis of the rejection of claims 108-114. Therefore, Applicants respectfully submit that the remarks provided above with respect to the obviousness-type double patenting rejection of claims 108-114 are equally applicable to the present rejection under 35 U.S.C. § 103(a).

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. *A duplicate copy of this sheet is enclosed.*

Respectfully submitted,

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By



George G. Ballas
Registration No. 52,587
McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant